

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL DOCKET NO.: 5:11CR73-RLV**

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| UNITED STATES OF AMERICA | ) | <b>NOTICE OF POSSIBLE<br/>DEPARTURE<br/>FED. R. CRIM. P. 32(h)</b> |
|                          | ) |  |
|                          | ) |  |
| v.                       | ) |  |
|                          | ) |  |
| PARKS BRADLEY SHORE, and | ) |  |
| JOHNNY SANFORD JOHNSON,  | ) |  |
| Defendants.              | ) |  |
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Pursuant to Rule 32(h) of the Federal Rules of Criminal Procedure, the Court hereby provides the parties “reasonable notice” (*i.e.*, a week in advance of the scheduled sentencing hearings) of the possibility that the Court may depart from the sentencing guidelines in the above-referenced cases on a ground not already identified for departure in either the Presentence Investigation Report or the parties’ pre-hearing sentencing memoranda. FED. R. CRIM. P. 32(h). More specifically, the undersigned is contemplating that a departure from the guidelines may be warranted based upon factors identified within § 3553(a), and particularly “the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct.” 18 U.S.C. § 3553(a)(6). To the extent either party requests to be heard on the propriety of departure on this or any other basis and seeks additional time to respond, a motion to continue supported by good cause will be entertained by the Court.

Signed: December 30, 2013



Richard L. Voorhees  
United States District Judge

